

Text of Section 4002 of Public Law 108-11, Supplemental Appropriations Act to Support Department of Defense Operations in Iraq for Fiscal Year 2003.

(a) DEFINITIONS.—For purposes of this section

(1) the term "eligible individual" means an individual whose eligibility for temporary extended unemployment compensation under the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107-147; 116 Stat. 21), as amended by Public Law 108-1 (117 Stat. 3), is or would be based on the exhaustion of regular compensation under State law, entitlement to which was based in whole or in part on qualifying employment performed during such individual's base period;

(2) the term "qualifying employment", with respect to an eligible individual, means employment

(A) with an air carrier, employment at a facility at an airport, or with an upstream producer or supplier for an air carrier; and

(B) as determined by the Secretary, separation from which was due, in whole or in part, to—

(i) reductions in service by an air carrier as a result of a terrorist action or security measure;

(ii) a closure of an airport in the United States as a result of a terrorist action or security measure; or

(iii) a military conflict with Iraq that has been authorized by Congress;

(3) the term "air carrier" means an air carrier that holds a certificate issued under chapter 411 of title 49, United States Code;

(4) the term "upstream producer" means a firm that performs additional, value-added, production processes, including firms that perform final assembly, finishing, or packaging of articles, for another firm;

(5) the term "supplier" means a firm that produces component parts for, or articles and contract services considered to be a part of the production process or services for, another firm;

(6) the term "Secretary" means the Secretary of Labor;
and

(7) the term "terrorist action or security measure" means a terrorist attack on the United States on September 11, 2001, or a security measure taken in response to such attack.

(b) ADDITIONAL TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION FOR ELIGIBLE INDIVIDUAL- In the case of an eligible individual, the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107-147; 116 Stat. 21), as amended by Public Law 108-1 (117 Stat. 3), shall be applied as if it had been amended in accordance with subsection (c).

(c) MODIFICATIONS.

(1) IN GENERAL.-For purposes of subsection (b), the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107-147; 116 Stat. 21), as amended by Public Law 108-1 (117 Stat. 3), shall be treated as if it had been amended as provided in this subsection.

(2) PROGRAM EXTENSION.-Deem section 208 of the Temporary Extended Unemployment Compensation Act of 2002, as amended by Public Law 108-1 (117 Stat. 3), to be amended to read as follows:

"SEC. 208. APPLICABILITY.

"(a) IN GENERAL.-Subject to subsection (b), an agreement entered into under this title shall apply to weeks of unemployment-

"(1) beginning after the date on which such agreement is entered into; and

"(2) ending before December 29, 2003.

"(b) TRANSITION FOR AMOUNT REMAINING IN ACCOUNT

"(1) IN GENERAL.-Subject to paragraph (2), in the case of an individual who has amounts remaining in an account established under section 203 as of December 28, 2003, temporary extended unemployment compensation shall continue to be payable to such individual from such amounts for any week beginning after such date for which the individual meets the eligibility requirements of this title.

"(2) NO AUGMENTATION AFTER DECEMBER 28, 2003.-If the account of an individual is exhausted after December 28, 2003, then section 203(c) shall not apply and such account shall not be augmented under such section, regardless of whether such individual's State is in an extended benefit period (as determined under paragraph (2) of such section).

"(3) LIMITATION.-No compensation shall be payable by reason of paragraph (1) for any week beginning after December 26, 2004."

(3) ADDITIONAL WEEKS OF BENEFITS- Deem section 203 of the Temporary Extended Unemployment Compensation Act of 2002, as amended by Public Law 108-1 (117 Stat. 3), to be amended-

(A) in subsection (b) (1)-

(i) in subparagraph (A), by striking "50" and inserting "150" and

(ii) by striking "13" and inserting "39";

and

(B) in subsection (c) (1), by inserting "13 of" after "equal to".

(4) EFFECTIVE DATE OF MODIFICATIONS DESCRIBED IN PARAGRAPH (3).-

(A) IN GENERAL.-The amendments described in paragraph (3)-

(i) shall be deemed to have taken effect as if included in the enactment of the Temporary Extended Unemployment Compensation Act of 2002; but

(ii) shall be treated as applying only with respect to weeks of unemployment beginning on or after the date of enactment of this Act, subject to subparagraph (B).

(B) SPECIAL RULES.- In the case of an eligible individual for whom a temporary extended unemployment account was established before the date of enactment of this Act, the Temporary Extended Unemployment Compensation Act of 2002 (as amended by this section) shall be applied subject to the following:

(i) Any amounts deposited in the individual's temporary extended unemployment compensation account by reason of section 203(c) of such Act (commonly known as "TEUC-X amounts") before the date of enactment of this Act shall be treated as amounts deposited by reason of section 203(b) of such Act (commonly known as "TEUC amounts"), as deemed to have been amended by paragraph (3) (A).

(ii) For purposes of determining whether the individual is eligible for any TEUC-X amounts under such Act, as deemed to be amended by this subsection—

(I) any determination made under section 203(c) of such Act before the application of the amendment described in paragraph (3) (B) shall be disregarded; and

(II) any such determination shall instead be made by applying section 203(c) of such Act, as deemed to be amended by paragraph (3) (B) as of the time that all amounts established in such account in accordance with section 203(b) of such Act (as deemed to be amended under this subsection, and including any amounts described in clause (i)) are in fact exhausted.